

## REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-14 and 19-22 are pending in this application. Claims 1, 11 and 19 are independent. Claims 1-14 and 19-22 have been amended. Claims 15-18 are canceled without prejudice or disclaimer of subject matter. Support for this amendment is provided throughout the Specification as originally filed and specifically at pages 20-24. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

### II. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-2 and 4-22 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable by U.S. Patent No. 6,144,375 to Jain (hereinafter, merely “Jain”) in view of European Patent Application No. 0609819 to Gilligan (hereinafter, merely “Gilligan”).

Claim 1, as amended, recites, *inter alia*:

“first display control means for controlling a display, in accordance with said first operation or said second operation performed through said jog dial means, for displaying an image among a set of images, which are at least partially displayed on a view area of

the display for the operator to select the image for browsing corresponding to content recorded on a recording medium.”(emphasis added)

As understood by Applicants, Jain relates to a method and apparatus for interactively viewing a real-world environment. The viewer includes a user interface having a first window for displaying a two-dimensional representation of a three-dimensional model of the real world environment and other viewing areas for displaying and querying for views of the real-world environment. The viewer includes a content-based event timeline that graphically depicts multi-media events satisfying user queries. Several methods can be used to select an event for display. For example, the user can select an event by selecting the event representation from the timeline. Alternatively, the user can select an event by querying the system for selected objects, viewing angles, input devices, etc.

As understood by Applicants, Gilligan relates to a manual input device for controlling a cursor on a computer display (e.g., a mouse), which has a supplementary control device comprising a displaceable knob mounted on one side of the mouse housing, with the supplementary control being provided for concurrent scrolling and pointing. The supplementary control device generates a supplementary control signal in response to operation of the knob, which is designed to be operated by the thumb of the same hand, which holds the mouse. An associated method is provided for dynamically setting scrolling parameters through detection of pre-defined patterns in the cursor's trail, at the same time the mouse is operated. The scrolling direction is set in correspondence to the dominant axis present in the cursor's trail. Detecting an approximately circular movement of the cursor allows different scrolling scale settings, including scrolling in a normal direction to the screen plane (i.e., between successive data layers).

Applicants submit that neither Jain, nor Gilligan, taken alone or in combination, teach or suggest the first display control means for controlling a display, in accordance with said first operation or said second operation performed through said jog dial means, for displaying an image among a set of images, which are at least partially displayed on a view area of the display for the operator to select the image for browsing corresponding to content recorded on a recording medium, as recited in amended claim 1. Therefore, Applicants submit that claim 1 is patentable.

For reasons similar to or somewhat similar to those described above with regard to independent claim 1, amended independent claims 11 and 19 are also believed to be patentable.

Furthermore, Applicants submit that the combination of Jain and Gilligan is improper since it is based on impermissible hindsight. Indeed, Applicants submit that the Office Action has used Applicants' claims as a blue print to "pick and choose" features from various patents.

Applicants respectfully request the rejection of claims 1, 11 and 19 under 35 U.S.C. §103(a) be withdrawn.

### **III. DEPENDENT CLAIMS**

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

**CONCLUSION**

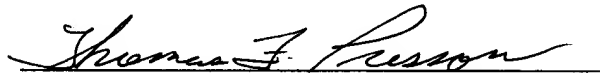
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference providing the basis for a contrary view.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



Thomas F. Presson

Reg. No. 41,442

(212) 588-0800